



209 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-37830-2024

Date of Decision: 09.08.2024

Darshan Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Sanjay Jain, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

GURBIR SINGH, J. (ORAL)

1. The present 1st petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.158 dated 19.05.2024 under Sections 18 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Parao Ambala Cantt. District Ambala.

2. Learned counsel for the petitioner *inter alia* submits that the petitioner is in custody since 20.05.2024. The alleged recovery of 195 grams opium from the petitioner falls within the category of non-commercial quantity. He further submits that co-accused has already been granted interim bail by this Court in case CRM-M-30005-2024, vide order dated 03.07.2024 and petitioner has not been declared as proclaimed offender.

3. Notice of motion.

4. Mr. Gurmeet Singh, AAG, Haryana accepts notice on behalf of the State and files the custody certificate, which is taken on record. He submits

that the petitioner is involved in another case in which bail is already granted.

5. I have heard the submission of the learned counsel for the petitioner, learned State counsel and have gone through the paper-book.

6. Keeping in view the fact that recovery from the petitioner is of total 195 grams opium, which falls in the category of non-commercial quantity. Co-accused has already been granted concession of interim bail by this Court. Since trial of the case would take a long time so, in these circumstances, no useful purpose would be served by keeping the petitioner behind the bars.

7. Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction of learned Trial Court/Duty Magistrate, concerned.

8. The petitioner shall get his mobile number registered in the trial Court for receiving messages through CIS and shall not change his mobile number during pendency of the case. The petitioner shall also inform his residential address to Court and also to the concerned police station. The petitioner shall not change his residence without informing the Court/concerned police station. In case of default, the learned trial Court is free to cancel the bail granted to the petitioner.

9. However, nothing contained here-in-above shall be construed as an expression of opinion on the merits of the case. If the petitioner indulges in the commission of any offence while on bail, the State would be at liberty to move an application for cancellation of his bail granted vide this order.

09.08.2024

Parveen kumar

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No